



Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

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MINUTES

September 14, 1998

Review of draft decision: Amendment to Common Driveway Special Permit, 69 Old North Road, Map 34, Parcels 1, 15 and 16, Peter Chelton, Robert Cassady and Keith Simon, applicants

Release of Project Review Fee for Common Driveway Special Permit, Baldwin Road (Evans-Sachs)

Invitation to participate in a regional educational forum on cluster development sponsored by the Acton Conservation Trust - 9/24/98

CONTINUED PUBLIC HEARING: Definitive Subdivision Plan and Special Permit for Common Driveway for West Meadow, 361 Acton Street, Map 17, Parcel 17A, Robert Koning, 45 Acton St., applicant

Proposed tri-party agreement as performance bond for Pine Meadow Subdivision, Maple Street

Notice of intent to remove property on Curve Street and Fiske Street, Map 28, Parcels 2 and 8, from Chapter 61A classification

Request for reconsideration of vote not to approve the removal of trees on Maple Street, a Scenic Road (request of Bicycle/Pedestrian Safety Committee)

ANR PLAN: 1056 Curve Street, Map 29, Parcels 6, 6-39, 7 and 7A, John Swanson and Tall Pines Realty Trust, applicants (Determination that approval is required filed 8/10/98, appeal filed 8/24/98) (Executive session)

Discussion of strategy with regard to pending litigation, Valchuis et al. v Planning Board (Executive Session)

Chair Hengeveld called the meeting to order at 7:25 p.m. Members Holzman, LaLiberte, Reid and Tice were present. Also present were Planning Administrator George Mansfield and David Ives of the *Mosquito*. Members Epstein and Abend were not present this evening.

The minutes of the meeting of August 24, 1998 were reviewed. One clarification was submitted to the PA from Abend. Reid moved to accept the minutes as amended. LaLiberte seconded and the minutes were accepted 5-0.

Bills were circulated, but an updated budget was not available for review.

The Board scheduled upcoming meetings as follows: 9/28, 10/14 (Wed.), 10/26, 11/9, 11/23, 12/14, 1/11/99, 1/25, 2/8, 2/22, 3/8, 3/22.

Review of draft decision: Amendment to Common Driveway Special Permit, 69 Old North Road, Map 34, Parcels 1, 15 and 16, Peter Chelton, Robert Cassady and Keith Simon, applicants

The draft decision was reviewed with no changes made. Tice moved to accept the draft decision of the Amendment to Common Driveway Special Permit for 69 Old North Road, Map 34, Parcels 1, 15 and 16, dated August 24, 1998. Reid seconded the motion and it was approved 4-0-1 with Holzman abstaining.

Release of Project Review Fee for Common Driveway Special Permit, Baldwin Road (Evans-Sachs)

The Board reviewed the letter to Mr. and Mrs. Jonathan Sachs drafted by the PA. One change was made and the Board agreed to send the letter as revised once the correct amount has been determined by the PA and the Town Treasurer.

Invitation to participate in a regional educational forum on cluster development sponsored by the Acton Conservation Trust - 9/24/98

Board members who had been involved with cluster zoning in Carlisle were not available to participate in this forum. New members Reid and Holzman offered to attend in order to learn what neighboring communities are doing. Mansfield offered to provide them with information and handouts regarding the Board's attempt to revise the cluster zoning bylaw.

CONTINUED PUBLIC HEARING: Definitive Subdivision Plan and Special Permit for Common Driveway for West Meadow, 361 Acton Street, Map 17, Parcel 17A, Robert Koning, 45 Acton St., applicant

The applicant and his engineer Bill McNary of Stamski and McNary were present. The Board's engineer Dale MacKinnon was also present. The following members of the public were present: Debra Hankey of East Street; Jan Sacks, Marty Schafer, Rob Koning, Jr. of Acton Street; Tricia Lamb of Indian Hill Road; Philip and Karen Calhi of Waltham, MA.

McNary presented the most recent revision of the plans dated 9/11/98 along with a revised list of required waivers. He also presented the PA with the results of the traffic study and noted that the 85th percentile speed was 32 m.p.h. With the intersection being designed for speeds of 45 and 50 m.p.h., sight distances will be more than adequate, he said.

McNary then proceeded to highlight the changes on the revised plan: 1) The subdivision shall now be known as "Stormy Meadow" and the roadway will be called "Stormy Meadow Drive." 2) Two stone masonry retaining walls shall be provided to minimize wetland alteration. They will be approximately 5 ft. and 2 1/2 ft. high respectively. 3) In order to further protect the wetlands, the side slopes shall be stabilized with *Contech Ero-Mat* in addition to loam and seed and hay bales. 4) The detail sheet now includes the Ero-mat and retaining walls. McNary also submitted an Operation and Maintenance Plan for the drainage system.

Mansfield noted that the Concord Acting Fire Chief had also reviewed and approved the plans for fire safety issues, and his review, dated 9/11/98, was on file.

McNary and MacKinnon then discussed Earth Tech's 9/10/98 letter to the Board regarding review of the previously submitted plan. Some items were easily resolved and others required additional discussions between the two engineers outside of the meeting. Item # 7 involved the 20 foot width of pavement in the cul-de-sac. Although the designed width had been specifically approved by the Concord Fire Chief, MacKinnon felt this was too narrow for emergency vehicles using the cul-de-sac if cars were parked along the perimeter. The Board suggested a gravel shoulder be provided on the inside of the cul-de-sac to provide a wider area of stability.

Mansfield told McNary that he would also need to request a waiver for the retaining walls since they do not meet the 3-1 side slope requirement.

Tice moved to continue the public hearing to 9/28/98 at 7:45 p.m. Reid seconded the motion and it was approved 5-0.

Proposed tri-party agreement as performance bond for Pine Meadow Subdivision, Maple Street

Bill Costello and his attorney Richard Galogly were present for this discussion. Galogly stated that the proposed agreement is essentially the same as the document previously signed by the Board in September 1997. \$65,000 would be held in the account to complete the roadway. Mansfield noted that the 9/11/98 letter from LandTech confirmed the estimated roadway completion costs at \$56,082. Costello estimated an outside completion date of two years, but will use 9/29/99 as the completion date as stated in the previous agreement. If more time is needed, he will ask for an extension of both simultaneously. [Note: The original completion date was established as 5/29/00, but that date was not available at the time of this discussion.]

LaLiberte moved to approve the form of the performance bond dated as of 9/8/98 pertaining to Pine Meadows with the insertion on the third page of outside completion date as "9/29/99" and that the execution date on page four be changed to 1998. Tice seconded the motion and it carried 5-0.

Notice of intent to remove property on Curve Street and Fiske Street, Map 28, Parcels 2 and 8, from Chapter 61A classification

It was noted that these parcels are listed as priority one in Carlisle's Open Space Plan. At the next meeting the Selectmen will be asking the PB for its input regarding this property, and discussion was continued until 9/28/98.

Request for reconsideration of vote not to approve the removal of trees on Maple Street, a Scenic Road (request of Bicycle/Pedestrian Safety Committee)

Chairman of the Bicycle/Pedestrian Safety Committee Deb Belanger came before the Board, along with Vivian Chaput of Milne Cove Lane, to ask if it was possible to reconsider the removal of trees on Maple Street and also to discuss the process by which the Bicycle/Pedestrian Safety Committee could be kept informed of future plans that might involve their input. The Board explained that the project on Maple Street is nearing completion and the tree removal dealt only with widening the shoulders and not providing a path. The Board also suggested that a BPSC member be responsible for reading the notices in the *Mosquito* in order to keep the committee informed. Mansfield agreed to provide Belanger with a list of current and anticipated subdivisions, as well as the names of Maple Street abutters who had objected to the tree removal.

Discussion of strategy with regard to pending litigation, Valchuis et al. v Planning Board and ANR PLAN: 1056 Curve Street, Map 29, Parcels 6, 6-39, 7 and 7A, John Swanson and Tall Pines Realty Trust, applicants (Determination that approval is required filed 8/10/98, appeal filed 8/24/98) (Executive session)

Reid moved to adjourn to executive session in order to discuss pending litigation regarding Swanson, Valchuis and other pending suits, noting that the Board would not return to regular session at the conclusion of this discussion. Tice seconded. Members were polled and unanimously approved the motion.

At 9:55, Tice moved to adjourn from executive session and to adjourn the meeting. Reid seconded and the Board was polled and unanimously adjourned the meeting.

Respectfully submitted,

A handwritten signature in cursive script, reading "Anja M. Stam". The signature is written in dark ink and is positioned above the printed name.

Anja M. Stam
Recording Secretary